

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

In re: ZENERGY BRANDS, INC., <i>et al.</i>,¹ Debtors.	§ § § § §	Chapter 11 Case No. 19-42886 (Joint Administration Requested)
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ORDER GRANTING CHAPTER 11 COMPLEX CASE TREATMENT

These bankruptcy cases were filed on October 24, 2019. Notice of Designation as Complex Chapter 11 Cases were filed. After review of the initial pleadings filed in these cases, the court concludes that these cases appear to be complex Chapter 11 cases. Accordingly, unless the court orders otherwise,

IT IS ORDERED:

1. The debtors shall maintain a service list identifying the parties that must be served whenever a motion or other pleading requires notice. Unless otherwise required by the Bankruptcy Code or Rules, notices of motions and other matters will be limited to the parties on the service list.

- a) The service list shall initially include the debtors, debtors' counsel, counsel to TCA Global Credit Master Fund, LP, Counsel for TCA Special Situations Credit Strategies ICAV, the Debtors' senior lender, the U.S. Trustee for the Eastern District of Texas, all secured creditors, the 20 largest unsecured creditors of each debtor, any indenture trustee, and any party that requests notice;
- b) Any party in interest that wishes to receive notice, other than as listed on the service list, shall be added to the service list by filing and serving the

¹ The Debtors in the above-captioned chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Zenergy Brands, Inc. (1686); NAUP Brokerage, LLC (7899); Zenergy Labs, LLC (8045); Zenergy Power & Gas, Inc. (1963); Enertrade Electric, LLC (8649); Zenergy & Associates, Inc. (4022); and Zen Technologies, Inc. (7309). The above-captioned Debtors' mailing address is 5700 Granite Pkwy, #200, Plano, TX 75024.

debtors and debtors' counsel with a notice of appearance and request for service.

- c) Parties on the service list, who have not otherwise consented to service by e-mail, through the act of becoming a registered e-filer in this district, are encouraged to provide an e-mail address for service of process and to authorize service by e-mail; consent to e-mail service may be included in the party's notice of appearance and request for service; in the event a party has not consented to e-mail service, a "hard copy" shall be served by fax or by regular mail.
- d) The initial service list shall be filed within 3 days after entry of this order. A revised list shall be filed 7 days after the initial service list is filed. The debtor shall update the service list, and shall file a copy of the updated service list, (i) at least every 7 days during the first 30 days of the case; (ii) at least every 15 days during the next 60 days of the case; and (iii) at least every 30 days thereafter throughout the case.

2. Initially, the Debtors' hearing dates will be: November 19, 2019, December 3, 2019, December 17, 2019, January 7, 2020, January 21, 2020, February 4, 2020, February 18, 2020, March 3, 2020, and March 17, 2020. The Debtors' counsel or counsel for other parties in interest shall contact the courtroom deputy to obtain subsequent hearing dates. Debtors' counsel shall notice out subsequent hearing dates. All motions and other matters requiring hearing, but not requiring expedited or emergency hearing, shall be noticed for hearing, on the next hearing day that is at least 23 days after the notice is mailed. As a preface to each pleading, just below the case caption, [in lieu of the language required by any Local Bankruptcy Rule] the pleading shall state:

A HEARING WILL BE CONDUCTED ON THIS MATTER ON _____ AT _____ AM/PM IN THE UNITED STATES BANKRUPTCY COURTROOM, [COURTHOUSE NAME & ADDRESS], _____, TEXAS. IF YOU OBJECT TO THE RELIEF REQUESTED, YOU MUST RESPOND IN WRITING, SPECIFICALLY ANSWERING EACH PARAGRAPH OF THIS PLEADING. UNLESS OTHERWISE DIRECTED BY THE COURT, YOU MUST FILE YOUR RESPONSE WITH THE CLERK OF THE BANKRUPTCY COURT WITHIN TWENTY-THREE DAYS FROM THE DATE YOU WERE SERVED WITH THIS PLEADING. YOU MUST SERVE A COPY OF YOUR RESPONSE ON THE PERSON

WHO SENT YOU THE NOTICE; OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF REQUESTED.

- a) The party filing a motion with a notice for a hearing **MUST** email the courtroom deputy at CRD_PLANO@txeb.uscourts.gov so that the hearing is properly scheduled on the Court's docket. A hearing on the motion is not scheduled on the Court's docket until the courtroom deputy receives the email and schedules the motion for hearing.
- b) All motions and other matters requiring expedited or emergency hearing shall comply with the usual court requirements for explanation and verification of the need for emergency or expedited hearing. Specifically, if a party in interest has a situation that it believes requires consideration on less than 23-days' notice, then the party should file and serve a separate, written motion for expedited hearing, with respect to the underlying motion. If the court grants the motion for expedited or emergency hearing, the underlying motion will be set by the courtroom deputy at the next available pre-set hearing day or at some other appropriate shortened date approved by the court. The party requesting the hearing shall be responsible for providing proper notice in accordance with this order and the Bankruptcy Code and Rules.

3. Emergency and expedited hearings (and other hearings in limited circumstances) in this case may be conducted by telephone or, where available, video. Parties must request permission to participate by telephone by emailing the courtroom deputy at ECRO_PLANO@txeb.uscourts.gov.

4. If a matter is properly noticed for hearing and the parties reach a settlement of the dispute prior to the final hearing, the parties may announce the settlement at the scheduled hearing. If the court determines that the notice of the dispute and the hearing is adequate notice of the effects of the settlement, (i.e., that the terms of the settlement are not materially different from what parties in interest could have expected if the dispute were fully litigated) the court may approve the settlement at the hearing without further notice of the terms of the settlement.

5. The debtors shall give notice of this order to all parties in interest within 7 days. If any party in interest, at any time, objects to the provisions of this order, that party shall file a

motion articulating the objection and the relief requested. After hearing the objection and any responses the court may reconsider any part of this order and may grant relief, if appropriate.

Signed on 10/31/2019

Brenda T. Rhoades SR
HONORABLE BRENDA T. RHOADES,
UNITED STATES BANKRUPTCY JUDGE